

PAUL A. GOSAR, D.D.S.

FOURTH DISTRICT, ARIZONA

2057 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2315

122 N. CORTEZ STREET, SUITE #104
PRESCOTT, AZ 86301
(928) 445-1683

6499 SOUTH KINGS RANCH ROAD, SUITE #4
GOLD CANYON, AZ 85118
(480) 882-2697

220 N. 4TH STREET
KINGMAN, AZ 86401
(928) 445-1683

WWW.GOSAR.HOUSE.GOV



Congress of the United States
House of Representatives
Washington, DC 20515-0301

**COMMITTEE ON
NATURAL RESOURCES**
SUBCOMMITTEES

RANKING MEMBER, OVERSIGHT AND INVESTIGATIONS
ENERGY AND MINERAL RESOURCES

**COMMITTEE ON OVERSIGHT
AND REFORM**
SUBCOMMITTEES

ENVIRONMENT
NATIONAL SECURITY

April 22, 2022

Attorney General Merrick Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Garland,

I write to you about the unjust prosecution and [indictment](#) of nine pro-life activists by the Department of Justice (DOJ) on [February 15, 2022](#) on unusual federal charges. These non-violent advocates for the protection of life and against murder are now being treated worse than violent felons.

Their "crime"? They protested in front of and blocked access to an abortion clinic. What is normally treated as a nuisance trespass is instead being treated as a decade long felony for these protestors. The activists include:

Lauren Handy, of Virginia;

Jonathan Darnell, of Virginia;

Jay Smith, of New York;

Paulette Harlow, of Massachusetts;

Jean Marshall, of Massachusetts;

John Hinshaw, of New York;

Heather Idoni, of Michigan;

William Goodman, of New York;

Joan Bell, of New Jersey.

This indictment and prosecution are abusive, unequal and punitive. While the charge of trespass or clinic obstruction fits the facts, conspiracy against rights is unique and inappropriate for the conduct. All of this conduct is misdemeanor trespass. Indeed, often these political trespasses are not indicted or prosecuted.

The incident is alleged to have taken place in October of 2020. It appears that DOJ is seeking 11 years of prison time for each individual, 10 years for a conspiracy of rights violation under Title [18 U.S.C. 241](#) and one year for a violation of the FACE Act under Title [18 U.S.C. 248](#).

The DOJ under this Administration has a disturbing history of overcharging people with political beliefs contrary to those in office. Many people charged for crimes on January 6th were peaceful and non-violent yet face many years behind bars. Few if any of the hundreds of criminals who looted, burned, and murdered people in the summer of 2020 during the BLM riots have been prosecuted. Of the over 200 people who cumulatively destroyed \$100,000 on the day of President Trump's inauguration, only one person was sentenced to jail time—four months to be precise. Compare that to nearly 800 people charged on January 6. Here again, someone with a viewpoint in opposition to the Democratic Party, in this case a belief in the sanctity of life, is facing double-digit years behind bars.

The conspiracy against rights charge is especially egregious. It is reserved for two people who conspire to “oppress, threaten, or intimidate” a person in the “free exercise” of their constitutional rights. Abortion is not a right in the Constitution. The Supreme Court in *Roe* acknowledged as much, which is why that decision has been on life support ever since. Life is the first sacred and undeniable right named in the Declaration of Independence. Charging someone for protecting our first right named in the Declaration for violating a made-up right not in the Constitution is absurd. A right to kill cannot exist.

The timing of the arrest indicates a pre-meditated intent to distract from a grotesque incident uncovered by one of the defendants. Five dead babies were found in possession of this particular defendant, with evidence to suggest they had been killed by an abortionist in the Washington Surgi-Clinic in violation of federal law either after birth or during a partial birth abortion procedure. I signed a letter on April 8, 2022 led by Chris Smith (R-NJ) asking the DOJ to investigate this incident.

Please respond to the following questions:

Was the timing of the arrest on March 30, 2022 in any way dependent on the knowledge that DC Metropolitan police received an email from an attorney representing the defendants, namely Steve Cooley, on March 29, 2022?

How many times has the DOJ charged people for a violation of 18 U.S.C. 248 FACE Act? Please provide the cases.

Has the DOJ charged anyone under 18 U.S.C. 248 FACE Act for violations of religious freedom or worship? If so, whom and list the cases.

How many times has the DOJ charged people for a conspiracy of rights violation under Title 18, U.S.C. 241? Please provide the charges.

How many times has the DOJ charged people for a conspiracy of rights violation under Title 18, U.S.C. 241 for a violation of the right to privacy or a violation of the right to abortion?

Why did the DOJ wait for over a year to file an indictment in this case? Is that standard procedure?

Do you believe the DOJ's actions will have a chilling effect on the exercise of religion and speech?

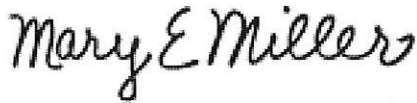
Sincerely,

Handwritten signature of Paul A. Gosar in blue ink.


Paul A. Gosar, D.D.S.
Member of Congress

Handwritten signature of Ralph Norman in blue ink.

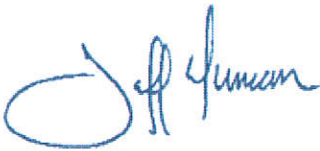
Ralph Norman
Member of Congress

Handwritten signature of Mary E. Miller in black ink.

Mary E. Miller
Member of Congress

Handwritten signature of Randy K. Weber in black ink.

Randy K. Weber
Member of Congress

Handwritten signature of Jeff Duncan in blue ink.

Jeff Duncan
Member of Congress